



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, OCTOBER 10, 2002**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed.

The City Council of Austin, Texas, convened in a regular meeting on Thursday, October 10, 2002 in the Main Room at the South Austin Senior Activity Center, 3911 Manchaca Road.

Invocation: Rev. Jaime Case, Executive Director, El Buen Samaritano and Vicar, San Francisco de Asis

Mayor Garcia called the Council Meeting to order at 1:32 p.m.

The City Council did not meet in an Executive Session.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney – Section 551.071

1. Discuss real property related to the Barton Springs Clean Water Project funded by May 1998 election, Proposition 2 Bonds.
This item was postponed to October 24, 2002

CITIZEN COMMUNICATIONS: GENERAL

2. Jimmy Castro – General Election Nov. 5,
3. **William J. Thomas spoke later in the meeting.**
4. Gus Pena – (1) To discuss Negative Entities Being built Close to AISD Schools and Neighborhoods. (2) To discuss and Demand Accountability from City Departments and to Improve the Citizens Complaint Process (To Make it More Responsive and Expeditious Process and a More Respectful Process.
5. John Hardman – Taxi Parking – Working Pick-Up Areas - **ABSENT**

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Slusher's motion, Council Member Thomas's second on a 7-0 vote.

6. Approval of minutes from worksession of October 2, 2002 and regular meeting of October 3, 2002.
The minutes from the work session of October 2, 2002 and the regular meeting of October 3, 2002 were approved.

7. Approve execution of a construction contract with RED SIMPSON, INC., Alexandria, LA, for construction of the Magnesium Plant Substation Conversion in an amount not to exceed \$756,727. (Funding is available in the 2002-2003 Approved Capital Budget of the Electric Utility Department.) Low bid/four bids received. 28.56% MBE, 7.27% WBE subcontractor participation. (Recommended by Electric Utility Commission.)
The motion authorizing the execution of a construction contract was approved.

8. Approve designation of Edward J. Sherwood, M.D., F.A.C.P., as Acting Health Authority and designation of Linda Williams Dooley, M.D., as Alternate Health Authority for Austin/Travis County Health and Human Services Department effective October 7, 2002. (Funding was included in the Fiscal Year 2002-2003 Approved Operating Budget of the Health and Human Services Department Budget.)

The motion authorizing the designations of Edward J. Sherwood and Linda Williams Dooley As Alternate Health Authority were approved.

9. Approve execution of a three-way contract with between the City of Austin, Travis County and Capital IDEA to fund a workforce development training program for the period of October 1, 2002 through September 30, 2003, in the amount of \$1,500,903, at a total cost to the City not to exceed \$832,034. (Funding is included in the Fiscal Year 2002-2003 Approve Operating Budget for the Health and Human Services Department, General Fund and Sustainability Fund.)
The motion authorizing the execution of a three-way contract was approved.

10. Approve the negotiation and execution of a deferred forgivable loan in an amount not to exceed \$85,500 to and an amendment to the existing lease agreement with Travis County Domestic Violence and Sexual Assault Survival Center, dba SafePlace, for the rehabilitation of a 17-unit women's shelter facility. (Funding is available in Community Development Block Grant Funds (CDBG) in the Neighborhood Housing and Community Development budget allocation under the Public Facilities Program.)
The motion authorizing the negotiation and execution of a deferred forgivable loan was approved.

Items 11 through 13 were pulled for discussion.

14. Approve an ordinance issuing a free lifetime swim pass for Barton Springs Pool to Mrs. Hazel Ball and Mrs. Clay Speake. (Approved by the Parks and Recreation Advisory Board)
Ordinance No. 021010-14 was approved.

15. Approve an Ordinance authorizing acceptance of \$600,000 in grant funds from the U.S. Department of Justice, Office of Justice Programs, Violence Against Women Grants Office, "Grants to

Encourage Arrest Policies and Enforcement of Protection Orders” program, and amending Ordinance No. 020910-01, the Fiscal Year 2002-2003 operating budget, Police Special Revenue Fund, by appropriating \$600,000 to provide comprehensive services to the victims of domestic violence. (Funding is available from the U.S. Department of Justice, Office of Justice Programs, Violence Against Women Grants Office, “Grants to Encourage Arrest Policies and Enforcement Orders” program, for the 24-month grant period September 1, 2002 through October 31, 2004. There is no unanticipated impact.)

Ordinance No. 021010-15 was approved.

16. Approve execution of a construction contract with KEYSTONE CONSTRUCTION, INC., Austin, Texas, for the Scenic Brook Drainage Improvements Project, in the amount of \$705,546.55 plus \$50,000 contingency fund, for a total contract amount not to exceed \$755,546.55. (Funding is available in the 1999-2000 Capital Budget of the Watershed Protection & Development Review Department.) Lowest of nine bids received. 24.6% MBE, 5.23% WBE subcontracting participation.
The motion authorizing the execution of a construction contract was approved.
17. Approve negotiation and execution of an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION for the relocation of existing water and wastewater facilities as part of the FM 969 Project from Airport Boulevard to Perez Street, in an amount not to exceed \$953,287.92. (Funding is available in the 2001-2002 Amended Capital Budget of the Water & Wastewater Utility.) (Recommended by Water and Wastewater Commission)
The motion authorizing the negotiation and execution of an Interlocal Agreement was approved.
18. Approve negotiation and execution of an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION for the relocation of existing water and wastewater facilities as part of the US 183 Project from Cameron Road to US 290, in an amount not to exceed \$7,365,981. (Funding is available in the 2001-2002 Amended Capital Budget of the Water & Wastewater Utility.) (Recommended by Water and Wastewater Commission)
The motion authorizing the negotiation and execution of an Interlocal Agreement was approved.
19. Approve a resolution authorizing the fee simple acquisition of Lot 15, Linda Vista Subdivision, locally known as 10802 Linda Vista, Del Valle, Texas, from Jimmy D. Carnline for the Airport Noise Mitigation Program, in the amount of \$112,000 plus \$21,290 relocation benefits, for a total amount not to exceed \$133,290. (Funding in the amount of \$133,290 is available in the 2001-2002 Capital Budget of the Aviation Department, using airport funds and available Federal Aviation Administration (FAA) grants.)
Resolution No. 021010-19 was approved.
20. Approve a resolution authorizing fee simple acquisition of Lot 1, Block “C”, Bluffington Section 2, locally known as 3002 Stratford Drive, Austin, Texas, from Julie James O’Quinn for the Bluffington Lift Station Site Improvement Project, in the amount of \$80,000. (Funding is available in the 2001-2002 Amended Capital Budget of the Water & Wastewater Utility.)
Resolution No. 021010-20 was approved.
21. Approve execution of a 12-month supply agreement with SHERMCO INDUSTRIES, INC., Cedar Park, Texas, for the overhaul and repair of 2.5 kV through 35 kV metal-clad air magnetic, vacuum

type power circuit breakers in an amount not to exceed \$75,000, with three 12-month extension options in an amount not to exceed \$75,000 per extension, for a total contract amount not to exceed \$300,000. (Funding in the amount of \$75,000 is available in the 2002-2003 Approved Operating Budget of the Electric Utility Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bidder/Three bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.

The motion authorizing the execution of a supply agreement was approved.

22. Approve execution of a 12-month supply agreement with U S FILTER DISTRIBUTION GROUP, INC. U S Austin, Texas for the purchase of manhole covers and rings, in an amount not to exceed \$54,789.25 with two 12-month extension options in an amount not to exceed \$54,789.25 per extension option, for a total amount not to exceed \$164,367.75. (Funding in the amount of \$54,789.25 is available in the 2002-2003 Approved Operating Budget of Electric Utility Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bid/three bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.

The motion authorizing the execution of a supply agreement was approved.

23. Approve execution of a 12-month supply agreement with VA TECH TRANSFORMERS Ld., St. Catharines, Ontario, Canada, for the purchase of three-phase, large power transformers and replacement parts in an amount not to exceed \$6,135,000 with three 12-month extension options in an amount not to exceed \$6,135,000 per extension option, for a total contract amount not to exceed \$24,540,000. (Funding in the amount of \$6,135,000 is available in the 2002-2003 Approved Operating Budget of the Electric Utility Department. Funding for the extension options is contingent upon available funding in future budgets.) Low evaluated bid/sixteen bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the execution of a supply agreement was approved.

24. Approve execution of a 12-month supply agreement with DECO PRESS, Porter, Texas, to provide window envelopes printed on recycled paper for utility customer service billing in an amount not to exceed \$124,534.61 with two 12-month extension options in an amount not to exceed \$124,534.61 per extension for a total contract amount not to exceed \$373,603.83. (Funding in the amount of \$124,534.61 is available in the 2002-2003 Approved Operating Budget of the Electric Utility Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bidder/nine bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the execution of a supply agreement was approved.

25. Approve execution of a three-month service agreement with AUSTIN SOFTBALL UMPIRES ASSOCIATION, INC., Austin, Texas, for softball umpire operations and management program services in an amount not to exceed \$64,157.50 with two 12-month extension options in amounts not to exceed \$269,033 and \$273,968.50 for a total contract amount not to exceed \$607,159.00. (Funding in the amount of \$64,157.50 is available in the 2002-2003 Approved Operating Budget of the Softball Enterprise Fund of the Parks & Recreation Department. Funding for the extension options is contingent upon available funding in future budgets.) Sole proposer. This contract will be

awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the execution of a service agreement was approved.

26. Approve a 12 month service agreement for grounds maintenance services with PIMPTON'S LANDSCAPING (MBE/MB, 100%), Austin, Texas, in an amount not to exceed \$59,309.36 with two 12 month extension options in an amount not to exceed \$59,309.36 per extension option for a total contract amount not to exceed \$177,928.08 and with RED & WHITE GREENERY, Georgetown, Texas, in an amount not to exceed \$152,004.67 with two 12 month extension options in an amount not to exceed \$152,004.67 per extension option for a total contract amount not to exceed \$456,014.01. (Funding in the amount of \$211,314.03 is available in the 2002-2003 Approved Operating Budget of the Parks and Recreation Department. Funding for the extension options will be contingent upon available funding in future budgets.) Low bid by zone/six bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.

The motion authorizing the service agreement was approved.

27. Approve the execution of a nine-month service agreement with HERTZ EQUIPMENT RENTAL CORPORATION, Austin, Texas, for the rental of two 12 cubic yard dump trucks for the Watershed Protection and Development Review Department (WPDRD) in an amount not to exceed \$70,200 with three one-month extension options in an amount not to exceed \$7,200 per extension for a total contract amount not to exceed \$91,800. (Funding in the amount of \$91,800 is available in the 2002-2003 Approved Operating Budget of the Watershed Protection and Development Review Department.) Low bidder/two bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.

The motion authorizing the execution of a service agreement was approved.

28. Approve execution of a 12-month service agreement with LONE STAR BRAKE & CLUTCH, Austin, Texas, for brake repair services including labor and parts in an amount not to exceed \$100,000 with two 12-month extension options in an amount not to exceed \$100,000 per extension for a total contract amount not to exceed \$300,000. (Funding in the amount of \$100,000 is available in the 2002-2003 Approved Operating Budget for the Fleet Maintenance Fund of the Finance and Administrative Services Department. Funding for the extension options will be contingent upon available funding in future budgets.) Low bid/four bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.

The motion authorizing the execution of a service agreement was approved.

29. Approve execution of a 12-month service agreement with ECOLOGY ACTION, Austin, Texas, for drop-off center recycling services for the Solid Waste Services Department, in an amount not to exceed \$81,000, with two 12-month extension options in an amount not to exceed \$81,000 per extension, for a total contract amount not to exceed \$243,000. (Funding in the amount of \$81,000 is available in the 2002-2003 Approved Operating Budget of the Solid Waste Services Department. Funding for the extension options will be contingent upon available funding in future budgets.) Low bidder/two bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.

The motion authorizing the execution of a service agreement was approved.

30. Approve execution of a contract with TEXAS HIGHWAY PRODUCTS, Round Rock Texas, to purchase a Video Camera System (including cameras, Video processor modules and associated software) for the Traffic Signal Upgrade Project in an amount not to exceed \$46,000. (Funding in the amount of \$46,000 is available in the 2002-2003 Approved Capital Budget of the Traffic Signals Office of the Transportation, Planning & Sustainability Department.) Low bidder/two bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.
The motion authorizing the execution of a contract was approved.
31. Approve Service Extension Request No. 2170 for wastewater service not to exceed a peak wet weather flow of 1 gallon per minute (gpm) for a tract of approximately .5 acres owned by Ursula Hammes and Robert Goldhammer, located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin at 1307 Constant Springs Drive. (Recommended by Water and Wastewater Commission)
The motion authorizing the Service Extension Request No. 2170 was approved.
32. Approve Service Extension Request No. 2174 for wastewater service not to exceed a peak wet weather flow of 1 gallon per minute (gpm) for a tract of approximately .33 acres owned by David and Nancy Snyder, located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin at 3600 Ripple Creek Drive. (Recommended by Water and Wastewater Commission)
The motion authorizing the Service Extension Request No. 2174 was approved.
33. Approve Service Extension Request No. 2176 for wastewater service not to exceed a peak wet weather flow of 1 gallon per minute (gpm) for a tract of approximately .5 acres owned by David and Barbara Cohen, located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin at 3605 Ripple Creek Drive. (Recommended by Water and Wastewater Commission)
The motion authorizing the Service Extension Request No. 2176 was approved.
34. Approve Service Extension Request No. 2177 for wastewater service not to exceed a peak wet weather flow of 1 gallon per minute (gpm) for a tract of approximately .4 acres owned by Michael Ross and Ann Thompson, located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin at 1305 Constant Springs Drive. (Recommended by Water and Wastewater Commission)
The motion authorizing the Service Extension Request No. 2177 was approved.
35. Approve Service Extension Request No. 2178 for wastewater service not to exceed a peak wet weather flow of 1 gallon per minute (gpm) for a tract of approximately .35 acres owned by William and Bonnie Buchholtz, located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin at 1305 Pasaguada Drive. (Recommended by Water and Wastewater Commission)
The motion authorizing the Service Extension Request No. 2178 was approved.
36. Approve Service Extension Request No. 2179 for wastewater service not to exceed a peak wet weather flow of 1 gallon per minute (gpm) for a tract of approximately .4 acres owned by Walter and Carolyn Moreau, located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin at 1400 Spring Garden Road. (Recommended by Water and Wastewater Commission)
The motion authorizing the Service Extension Request No. 2179 was approved.

37. Approve Service Extension Request No. 2180 for wastewater service not to exceed a peak wet weather flow of 1 gallon per minute (gpm) for a tract of approximately .33 acres owned by Gerald Hurst, located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin at 1401 Spring Garden Road. (Recommended by Water and Wastewater Commission)
The motion authorizing the Service Extension Request No. 2180 was approved.
38. Approve Service Extension Request No. 2181 for wastewater service not to exceed a peak wet weather flow of 1 gallon per minute (gpm) for a tract of approximately .47 acres owned by Frances Robbins, located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin at 3603 Ripple Creek Drive. (Recommended by Water and Wastewater Commission)
The motion authorizing the Service Extension Request No. 2181 was approved.
39. Appointments to Boards and Commissions.
The following appointments were made:

<u>Board/ Appointee</u>	<u>Consensus/ Council Nominee</u>	<u>Appointment/ Reappointment</u>
<u>Construction Advisory Board</u>		
Bruce Wilson	Council Member Alvarez	reappointment
<u>Electrical Board</u>		
Robert Schmidt	Council Member Alvarez	reappointment
<u>Environmental Board</u>		
David Anderson	Mayor Garcia	appointment

40. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with other entities in the 5-county Austin/San Marcos Metropolitan Statistical Area for entry into the Early Action Compact, a voluntary program to facilitate early compliance with the 8-hour ozone standard by 2007. (Mayor Gus Garcia, Mayor Pro Tem Jackie Goodman and Council Member Raul Alvarez)
Resolution No. 021010-40 was approved.
41. Approve an ordinance waiving the signature requirement under Chapter 15-11 of the City Code for the 3M Half Marathon to be held on February 2, 2003. (Council Member Will Wynn and Council Member Betty Dunkerley)
Ordinance No. 021010-41 was approved.
42. Approve a resolution directing the City Manager to recommend to the City Council site development standards in the SF4-A Zoning District. (Mayor Pro Tem Jackie Goodman, Council Member Daryl Slusher and Council Member Betty Dunkerley)
Resolution No. 021010-42 was approved.
43. Direct the City Manager to bring forward a proposed ordinance amending Chapter 25-10 of the City Code "Sign Regulations" as it relates to signs in the City's right of way. (Council Member Daryl Slusher, Mayor Pro Tem Jackie Goodman and Council Member Betty Dunkerley)
The motion to direct the City Manager to bring forth a proposed ordinance was approved.

44. Set a public hearing to approve a 12-inch wastewater line through dedicated parkland known as Shoal Creek Greenbelt in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (All costs associated with the line, as well as any parkland restoration will be paid by the requester under a previously approved CIP project). (Suggested Date and Time: November 7, 2002 at 6:00 p.m.) (Recommended by Parks and Recreation Board)
The public hearing was set for November 7, 2002 at 6:00 p.m.
45. Set a public hearing to consider an amendment to the Montopolis Neighborhood Plan, part of the Austin Tomorrow Comprehensive Plan, to change the use of a portion of the "Steiner Tract" from office use to multifamily use. The Steiner Tract is generally located at 7300-7320 Riverside Drive. (This plan is advisory and does not legally obligate the Council to implement any particular recommendation.) (Recommended Date and Time: Thursday, October 31, 2002 at 4:00 p.m.)
The public hearing was set for October 31, 2002 at 4:00 p.m.

CITIZEN COMMUNICATIONS: GENERAL

3. William J. Thomas – Police Chief

DISCUSSION

11. Consider on second and third reading an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Southeast Combined Neighborhood Plan for the area bounded by IH-35 to the west, Ben White to the north, Hwy 183 to the east, and to the south Burleson Rd., Smith School Rd, the McKinney Falls State Park property line, and Williamson Creek. (There is no fiscal impact associated with adopting the Southeast Combined Neighborhood Plan. An estimate of the fiscal impact to implement all of the recommendations in the plan is \$7,387,940 (+ \$10,000 annual maintenance costs). This plan is advisory and does not legally obligate the Council to implement any particular recommendation.) (Recommended by Planning Commission)
Ordinance No. 021010-11 adopting the Southeast Combined Neighborhood Plan as recommended by the Planning Commission was approved with the following friendly amendments on Council Member Slusher's motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

The friendly amendments were as follows. These amendments were accepted by the maker of the motion and Mayor Pro Tem Goodman who made the second.

- **To amend the ordinance by adding a new Part III which reads, " MARTY TERRY WILL PROVIDE THE WORDING " and changing the current Part III to IV.**
 - **To change the future land use map for property located at 2505 Hoeke Lane from warehouse/limited office to commercial.**
12. C14-02-0128 – SOUTHEAST AUSTIN COMBINED NEIGHBORHOOD PLAN REZONINGS
– Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the Southeast Austin Combined Neighborhood Plan area, which is bounded by Ben White Boulevard on the north; Burleson Road, Smith School Road, the Texas Parks & Wildlife boundary, and Williamson Creek on the south; U.S. Highway 183 on the east; and IH-35

on the west (Carson, Country Club, Onion and Williamson Creek Watersheds). The proposed zoning change will: 1) add a Neighborhood Plan Combining District (NPCD) to each base zoning district; 2) permit the neighborhood urban center special use on Tract 46; 3) permit the neighborhood mixed use building special use on Tracts 5, 11-16, and 49; and 4) change the base zoning districts on 69 tracts of land: from: SF-2, Single Family Residence Standard Lot district, zoning; I-SF-2, Interim-Single Family Residence Standard Lot district, zoning; SF-3, Family Residence district, zoning; MF-1, Multi-Family Residence-Limited Density district, zoning; MF-2, Multi-Family Residence-Low Density district, zoning; LO, Limited Office district, zoning; LO-CO, Limited Office-Conditional Overlay Combining district, zoning; LR, Neighborhood Commercial district, zoning; GR, Community Commercial district, zoning; CS, General Commercial Services district, zoning; CS-1, Commercial Services-Liquor Sales district, zoning; LI, Limited Industrial Services district, zoning; LI-CO, Limited Industrial Services-Conditional Overlay Combining district, zoning; DR, Development Reserve district, zoning; and RR, Rural Residential district, zoning; to: SF-2-NP, Single Family Residence Standard Lot-Neighborhood Plan Combining district, zoning; SF-2-CO-NP, Single Family Residence Standard Lot-Conditional Overlay-Neighborhood Plan Combining district, zoning; MF-1-NP, Multi-Family Residence-Limited Density-Neighborhood Plan Combining district, zoning; NO-MU-NP, Neighborhood Office-Mixed Use-Neighborhood Plan Combining district, zoning; LR-NP, Neighborhood Commercial-Neighborhood Plan Combining district, zoning; LR-MU-NP, Neighborhood Commercial-Mixed Use-Neighborhood Plan Combining district, zoning; GR-NP, Community Commercial-Neighborhood Plan Combining district, zoning; GR-MU-NP, Community Commercial-Mixed Use-Neighborhood Plan Combining district, zoning; CS-NP, General Commercial Services-Neighborhood Plan Combining district, zoning; CS-MU-NP, General Commercial Services-Mixed Use-Neighborhood Plan Combining district, zoning; CS-1-NP, Commercial Services-Liquor Sales-Neighborhood Plan Combining district, zoning; CH-NP, Commercial Highway-Neighborhood Plan Combining district, zoning; W/LO-NP, Warehouse/Limited Office-Neighborhood Plan Combining district, zoning; LI-NP, Limited Industrial Services-Neighborhood Plan Combining district, zoning; LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district, zoning; and P-NP, Public-Neighborhood Plan Combining district, zoning. First Reading on September 26, 2002. Vote 7-0. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Sonya Lopez, Neighborhood Planning & Zoning Department, 974-7694; Wendy Walsh, Neighborhood Planning & Zoning Department, 974-7719.

Ordinance No's. 021010-12(A), 021010-12(B) and 021010-12(C) were approved adopting the rezonings in Franklin Park, McKinney and Southeast Neighborhood Plan Rezonings (NPCD) as recommended by the Planning Commission with the following amendments on Council Member Dunkerley's motion, Mayor Pro Tem Goodman's second on a 7-0 vote. The friendly amendments were:

- **to pull all SF zoned properties along Hwy US 183 from the Southeast NPCD and direct staff to initiate a rezoning from SF-2 to CS-NP;**
- **to Pull 2505 Hoeke Ln. from Southeast NPCD and direct staff to initiate a rezoning from W/LO to CS-NP with all uses allowed in W/LO plus restaurant. Also, staff was directed to bring back the water quality overlay for properties in these neighborhoods.**

Mayor Garcia recessed the Council Meeting at 3:44 p.m.

BOARD OF DIRECTORS' MEETING OF AHFC

Mayor Garcia called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 3:46 p.m. See separate minutes.

Mayor Garcia called the Council Meeting back to order at 4:11 p.m.

ZONING HEARINGS AND APPROVAL OF ORDINANCES/RESTRICTIVE COVENANTS

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and consent items were approved on Prot Tem Goodman's motion, Council Member Slusher's second on a vote.

- Z-1. C814-99-0001.01 – Avery Ranch PUD – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 15201 Avery Ranch Boulevard at 10500-10550 Parmer Lane (Brushy Creek Watershed) from PUD, Planned Unit Development district, zoning to PUD, Planned Unit Development district, zoning in order to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant PUD, Planned Unit Development district, zoning. Applicant: Developers of Avery Ranch (Robert D. Wunsch). Agent: Henry Gilmore, Attorney at Law (Henry H. Gilmore). City Staff: Sherri Gager, 974-3057.
The first reading of the ordinance for PUD, Planned Unit Development district, was approved.
- Z-2. C14-02-0077 – Terrazas Library Expansion – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1025 East Cesar Chavez Street (Town Lake Watershed) from SF-3-NP, Family Residence Standard-Neighborhood Plan Combining district, zoning lot district, zoning and CS-MU-CO-NP, General Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district, zoning to P-NP, Public-Neighborhood Plan Combining district, zoning. Planning Commission Recommendation: To grant P-NP, Public-Neighborhood Plan Combining district, zoning. Applicant and Property Owner: City of Austin-Library Department. Agent: Public Works Department (Cynthia Jordan). City Staff: Annick Beaudet, 974-2075.
Ordinance No. 021010-Z2 for P-NP, Public-Neighborhood Plan Combining district was approved.

Item Z-3 was pulled for discussion.

- Z-4. C14-02-0085 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7415 Brodie Lane (Williamson Creek Watershed) from RR, Rural Residence district, zoning and SF-4A, Single Family Residence Small lot district, zoning to RR, Rural Residence district zoning for Tract 3 and LO, Limited Office district, zoning for Tracts 1 and 2. Zoning and Platting Commission Recommendation: To grant RR, Rural Residence district, zoning for Tract 3 and NO-CO, Neighborhood Office-Conditional Overlay Combining district, zoning for Tracts 1 and 2, with conditions. Applicant and Property Owner: Joe W. McDaniel. Agent: The Faust Group (Bill Faust). City Staff: Wendy Walsh, 974-7719.
The first reading of the ordinance for RR, Rural Residence district was approved.
- Z-5. C14-02-0107 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 301 West Stassney Lane (Williamson Creek Watershed) from NO-CO, Neighborhood Office-Conditional Overlay Combining district, zoning to SF-6, Townhouse & Condominium Residence district, zoning. Zoning and Platting Commission Recommendation: To grant SF-6-CO, Townhouse and Condominium Residence-Conditional Overlay

Combining district, zoning with conditions. Applicant: Johnathan Quintero. Agent: Vincent Gerard & Associates (Vincent G. Huebinger). City Staff: Sherri Gager, 974-3057.

Ordinance No. 021010-Z5 for SF-6-CO, Townhouse and Condominium Residence-Conditional Overlay Combining district was approved

- Z-6. C14-02-0119 – Twin Liquors – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9901 Brodie Lane (Slaughter Creek Watershed) from GR-CO, Community Commercial - Conditional Overlay Combining district, zoning to CS-1, Commercial-Liquor Sales district, zoning. Zoning and Platting Commission Recommendation: To grant CS-1-CO, Commercial-Liquor Sales-Conditional Overlay Combining district zoning, with conditions. Applicant and Property Owner: Hollow Retail Partners LTD (Chris Ellis). Agent: Crocker Consultants (Sarah Crocker). City Staff: Wendy Walsh, 974-7719.

The first reading of the ordinance for CS-1-CO, Commercial-Liquor Sales-Conditional Overlay Combining district was approved.

- Z-7. C14-02-0124SH – Decker Creek Apartments – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6915 Decker Lane and 8620 Loyola Lane (Decker Creek Watershed) from GR, Community Commercial district, zoning to MF-3, Multifamily Residence Medium Density district, zoning. Planning Commission Recommendation: To recommend MF-3-CO, Multifamily Residence Medium Density, district zoning. Applicant: Decker Lane Joint Venture (Kenny D. Dryden). Agent: The Faust Group (William Faust). City Staff: Annick Beaudet, 974-2975.

Ordinance No. 021010-Z7 for MF-3-CO, Multifamily Residence Medium Density, district was approved with the following amendment.

- Z-8. C14-02-0130 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 900 E. Braker Lane (Walnut Creek Watershed) from CS-1, Commercial-Liquor Sales district, zoning to GR, Community Commercial district, zoning. Zoning and Platting Commission Recommendation: To grant GR, Community Commercial district, zoning. Applicant: Calhoon Properties (Thomas Calhoon). Agent: Crocker Consultants (Sarah Crocker). City Staff: Sherri Gager, 974-3057.

Ordinance No. 021010-Z8 for GR, Community Commercial district was approved.

- Z-9. C14-02-0131 – Forest Oaks Cemetery – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6300 West William Cannon Drive (Williamson Creek Watershed) from CS, General Commercial Services district, zoning, GR, Community Commercial district, zoning, and SF-2, Single Family Residence Large Lot district, zoning to P, Public district zoning. Zoning and Platting Commission Recommendation: To grant P-CO, Public-Conditional Overlay Combining district, zoning. Applicant: SCI Texas Funeral Services, Inc. (Curtis Briggs). Agent: Crocker Consultants, Inc. (Sarah Crocker). City Staff: Wendy Walsh, 974-7719.

Ordinance No. 021010-Z9 for P, Public district zoning district was approved.

- Z-11. Conduct a public hearing and consider an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the East MLK Combined Neighborhood Plan for the area bounded by Airport Blvd. on the west, Manor Rd and Loyola Lane on the north, former MO-KAN Railroad right-of-way on the east, and the Austin & NW Railroad on the south. (There is no fiscal impact associated with

adopting the East MLK Combined Neighborhood Plan. An estimate of the fiscal impact to implement all of the recommendations in the plan is \$15,362,840. This plan is advisory and does not legally obligate the Council to implement any particular recommendation.)

This item was postponed to October 24, 2002.

- Z-12. C14-02-0142 – EAST MLK COMBINED NEIGHBORHOOD PLAN REZONINGS – Conduct a public hearing and approve an ordinance amending Chapter 25 of the Austin City Code by rezoning property known as the East MLK Combined Neighborhood Plan area, bounded on the north by Little Walnut Creek, Ed Bluestein Boulevard, and Loyola Lane, on the west by Manor Road, Anchor Lane, and Airport Boulevard, and on the south and east by the Missouri-Kansas Railroad right-of-way (Walnut, Little Walnut, Fort Branch, Tannehill Branch, and Boggy Creek Watersheds). The proposed zoning change will create three Neighborhood Plan Combining Districts (NPCD) covering the entire area. The proposed zoning change will: 1) add a Neighborhood Plan Combining District (NPCD) to each base zoning district; 2) permit the neighborhood urban center special use on Tracts 1, 2, 15, 16, 21, 22, 26-28, 105, 110, 133, 139, 140, 143, 145, 146, 154, 159, 222 and 233; 3) permit the neighborhood mixed use building special use on Tracts 1-3, 5-8, 14-17, 20-22, 26, 27, 29, 31-35, 101-103, 105, 110, 114, 115, 117-119, 122-124, 127, 130, 139, 140, 143, 151-155, 159, 201, 208-237, 244-248, 254, 259, 260 and 267; 4) permit the residential infill special use on Tracts 4, 11, 18, 19, 23-25, 30, 104, 112, 113, 128, 129, 141, 142, 154, 156, 157, 159, 203, 205-207, 243, 249, 250, 257, and 263; 5) permit the cottage, urban home, and secondary apartment special uses in 3 sub-districts; 6) permit the small lot amnesty special use; and 7) change the base zoning districts on 157 tracts of land from: SF-2, Single Family Residence Standard Lot district; SF-3, Family Residence district; I-SF-3, Interim-Family Residence district; SF-6, Townhouse & Condominium Residence district; MF-2, Multi-Family Residence Low Density district; MF-3, Multi-Family Residence Medium Density district; NO, Neighborhood Office district; LO, Limited Office district; GO, General Office district; LR, Neighborhood Commercial district; LR-CO, Neighborhood Commercial-Conditional Overlay Combining district; GR, Community Commercial district; GR-CO, Community Commercial-Conditional Overlay Combining district; CS, General Commercial Services district; CS-CO, General Commercial Services-Conditional Overlay Combining district; CS-1, Commercial Liquor Sales district; IP, Industrial Park district; LI, Limited Industrial Services district; LI-CO, Limited Industrial Services-Conditional Overlay Combining district; PUD, Planned Unit Development district, zoning; to: SF-3-NP, Family Residence-Neighborhood Plan Combining district; SF-4A-NP, Single Family Residence Small Lot-Neighborhood Plan Combining district; SF-6, Townhouse & Condominium Residence-Neighborhood Plan Combining district; MF-2-NP, Multi-Family Residence Low Density-Neighborhood Plan Combining district; MF-3-NP, Multi-Family Residence Medium Density-Neighborhood Plan Combining district; MF-3-CO-NP, Multi-Family Residence Medium Density-Conditional Overlay-Neighborhood Plan Combining district; NO-MU-NP, Neighborhood Office-Mixed Use-Neighborhood Plan Combining district; LO-MU-NP, Limited Office-Mixed Use-Neighborhood Plan Combining district; GO-NP, General Office-Neighborhood Plan Combining district; LR-NP, Neighborhood Commercial-Neighborhood Plan Combining district; LR-CO-NP, Neighborhood Commercial-Conditional Overlay-Neighborhood Plan Combining district; LR-MU-NP, Neighborhood Commercial-Mixed Use-Neighborhood Plan Combining district; GR-NP, Community Commercial-Neighborhood Plan Combining district; GR-CO-NP, Community Commercial-Conditional Overlay-Neighborhood Plan Combining district; GR-MU-NP, Community Commercial-Mixed Use-Neighborhood Plan Combining district; GR-MU-CO-NP, Community Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district; CS-NP, General Commercial Services-Neighborhood Plan Combining district; CS-CO-NP, General Commercial Services-Conditional Overlay-Neighborhood Plan Combining district; CS-MU-NP, General Commercial Services-Mixed Use-Neighborhood Plan Combining district; CS-1-MU-NP,

Commercial Liquor Sales-Mixed Use-Neighborhood Plan Combining district; IP-NP, Industrial Park-Neighborhood Plan Combining District); LI-NP, Limited Industrial Services-Neighborhood Plan Combining district; LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district; PUD-NP, Planned Unit Development-Neighborhood Plan Combining district; P-NP, Public-Neighborhood Plan Combining district, zoning. Planning Commission Recommendation: The Commission will consider this zoning request on October 9, 2002. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Sue Hounsel, Neighborhood Planning & Zoning Department, 974-6564; Glenn Rhoades, Neighborhood Planning & Zoning Department, 974-2775.

This item was postponed to October 24, 2002.

ZONING DISCUSSION ITEMS

- Z-3. C14-02-0079 – Stone Tract – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 9601-9641 South Chisholm Trail (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district, zoning to SF-3, Family Residence district, zoning. Zoning and Platting Commission Recommendation: To grant SF-1-CO, Single Family Residence Large Lot district, zoning, with conditions. Applicant: Bobby and Betty Stone. Agent: Land Strategies, Inc. (Paul W. Linehan). City Staff: Sherri Gager, 974-3057.
The public hearing was closed on Council Member Dunkerley's motion, Council Member Slusher's second on a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

There was a motion to approve SF-1-CO, Single Family Residence Large Lot district, that was made by Council Member Dunkerley's motion, and seconded by Council Member Wynn's second.

The substitute motion to approve staff's recommendation for RR zoning on first reading was approved on Council Member Slusher's motion, Council Member Alvarez' second on a 5-2 vote. Those voting in aye were: Mayor Garcia, Mayor Pro Tem Goodman, and Council Member Alvarez, Slusher and Thomas. Those voting nay were: Council Members Dunkerley and Wynn.

- Z-8. C14-02-0130 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 900 E. Braker Lane (Walnut Creek Watershed) from CS-1, Commercial-Liquor Sales district, zoning to GR, Community Commercial district, zoning. Zoning and Platting Commission Recommendation: To grant GR, Community Commercial district, zoning. Applicant: Calhoon Properties (Thomas Calhoon). Agent: Crocker Consultants (Sarah Crocker). City Staff: Sherri Gager, 974-3057.
The public hearing was closed on Council Member Slusher's motion, Council Member Alvarez' second on a 7-0 vote.

Ordinance No. 021010-Z8 for GR, Community Commercial district, was approved.

Mayor Garcia recessed the Council Meeting at 5:28 p.m

Mayor Garcia called the Council Meeting to order at 6:45 p.m

- Z-10. C14-02-0076 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 12008 & 12010 Pollyanna Avenue (Walnut Creek Watershed) from SF-1, Single Family Residence Large Lot district, zoning to SF-3, Family

Residence district, zoning. Zoning and Platting Commission Recommendation: To grant SF-3-CO, Family Residence-Conditional Overlay Combining district, zoning with conditions. Applicant and Property Owner: Michael Byrne. Agent: Jim Bennett. City Staff: Annick Beaudet, 974-2975. Note: A valid petition has been filed in opposition to this rezoning request. (continued from 8/8/02, 8/26/02 and 9/26/02)

The public hearing was closed on Council Member Wynn's motion, Council Member Dunkerley's second on 7-0 vote.

The first reading for SF-3 on the western track only was approved on Council Member Wynn's motion, Council Member Slusher's second on a 5-2 vote. Those voting aye were: Mayor Garcia, and Council Member Dunkerley, Slusher, Thomas and Wynn. Those voting nay were Mayor Pro Tem Goodman and Council Member Alvarez.

DISCUSSION ITEMS

13. Approve an ordinance amending Ordinance No. 020404-13, to correct the conditions of zoning for the property known as the Villas on Guadalupe located at 2701 and 2717 Guadalupe Street, and 2804 through 2816 Hemphill Park. City Staff: Glenn Rhoades.

Ordinance No. 021010-13 was

The motion to adjourn the meeting at p.m. was approved on Council Member Slusher's motion, Council Member Thomas' second on a 7-0 vote.